

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JULIANNA AGARDI,

Plaintiff,

v.

HYATT HOTELS CORPORATION,

Defendant.

No. C 14-0347 MMC

**ORDER DENYING PLAINTIFF'S  
MOTION TO VACATE AND MOTION  
FOR JUDGMENT BY DEFAULT**

By separate orders filed June 23, 2014, the Court granted defendant's motion to dismiss and denied as moot plaintiff's motion for summary judgment; the following day, the Clerk of the Court entered judgment on the Court's order of dismissal.

Now before the Court are plaintiff's (1) "Motion[] to Vacate the Order Granting Defendant's Motion to Dismiss the Complaint Without the Leave to Amend [and] Deny Summary Judgment Motion as Moot" and (2) "Motion for Judgment by Default for Plaintiff," both filed July 21, 2014.

Having read and considered the Motion to Vacate, the Court finds plaintiff has failed to show a cognizable basis for reconsideration exists under either Rule 59(e) or Rule 60(b) of the Federal Rules of Civil Procedure, and, accordingly, plaintiff's Motion to Vacate is hereby DENIED.

1 In light of the Court's ruling on plaintiff's Motion to Vacate, plaintiff's Motion for  
2 Judgment by Default is hereby DENIED as moot.

3 **IT IS SO ORDERED.**

4 Dated: July 23, 2014

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6 MAXINE M. CHESNEY  
7 United States District Judge